



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 31 2016

Mr. John Giordano, Assistant Commissioner
New Jersey Department of Environmental Protection
401 E. State Street
P.O. Box 402
Trenton, New Jersey 08625-0402

Dear Assistant Commissioner Giordano:

This is a reminder that on May 22, 2015, the U.S. Environmental Protection Agency Administrator signed a final rule notifying states that their state implementation plans (SIPs) are not fully consistent with the Clean Air Act and court decisions with regard to treatment, in SIPs, of excess emissions during startup, shutdown, and malfunction (SSM) operations. This rule was published in the Federal Register (80 FR 33840) on June 12, 2015. As you know, air pollution emitted during SSM periods may have adverse health effects on local and neighboring communities. The EPA's action calls on 36 states, including New Jersey, to ensure consistency with the CAA and the EPA's current SSM policy. In response to the EPA's SIP call action, each of the 36 affected states are required to submit their revised SIPs to EPA by November 22, 2016, 18 months after the EPA's final SIP call rule was issued, in accordance with the requirements of the CAA.

We understand your staff has developed a draft SIP revision and that it is currently in the queue for Department rulemaking, however it may not have the appropriate priority to be ready for submittal to the EPA by the deadline. We urge you to place a high priority on meeting the EPA's November 22, 2016 SIP submittal deadline. Missing the deadline may result in the EPA issuing New Jersey a Finding of Failure to Submit the required SIP revision—which then starts a sanctions clock.

My staff will work closely with yours in providing assistance to ensure that New Jersey's SIP revision is submitted by the required deadline. If you have any further questions, please contact me at 212-637-5000 or have your staff contact Richard Ruvo, Chief of our Air Programs Branch at 212-637-4014.

Sincerely,

A handwritten signature in black ink, which appears to read "Ariel Iglesias", is positioned above the typed name.

Ariel Iglesias, Acting Director
Clean Air and Sustainability Division

cc: Francis Steitz
NJDEP

Danny Wong
NJDEP

